

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ AUG 13 2015 ★

**BROOKLYN OFFICE**

\_\_\_\_\_  
ANTHONY BELFIORE, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

**ORDER**  
14-CV-4090

-against-

THE PROCTER & GAMBLE COMPANY,

Defendant.

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**JACK B. WEINSTEIN, Senior United States District Judge:**

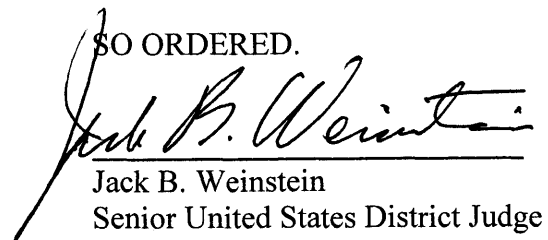
By August 26, 2015, the parties shall supply briefs with respect to the application, to the instant case, of NYCPLR section 901(b):

*Unless a statute creating or imposing a penalty, or a minimum measure of recovery specifically authorizes the recovery thereof in a class action, an action to recover a penalty, or minimum measure of recovery created or imposed by statute may not be maintained as a class action.*

*See Shady Grove Orthopedic Associates, P.A. v. Allstate Ins. Co.*, 559 U.S. 393 (2010) (majority, concurrence and dissent). Courtesy hard copies shall be promptly provided to the court.

August 12, 2015  
Brooklyn, New York

SO ORDERED.

  
Jack B. Weinstein  
Senior United States District Judge